

ELEVATOR, ESCALATOR, AND MOVING WALKWAY MECHANICS LICENSING BOARD

3rd BUSINESS MEETING October 27, 2014

PUBLIC SESSION MINUTES

1. CALL TO ORDER

The meeting of October 27, 2014 was called to order at 9:30 a.m. in the Hudson Conference Room on the 6th floor at 124 Halsey Street, Newark, NJ, by James Boydston, Board Chairman. All requirements of the Open Public Meetings Act have been complied with in accordance with N.J.S.A 10:4-6. The notice of the meeting was mailed to the Newark Star Ledger, Camden Courier Post and the Trenton Times. The notice was also sent to the Secretary of State, Trenton, New Jersey.

The Board saluted the flag.

The following Board members were present:

James Boydston
James Byrnes
Paulina Caploon
Edmund DeFilippis
Dennis O'Neill
Scott Wallace Jr.

The following Board members were not present:

None

Also present were:

Sandra Dick, Senior Deputy Attorney General, Division of Law
Charles Manning, Regulatory Analyst
David Freed, Acting Executive Director
George DeLuca, Administrative Analyst

Off Agenda

Senior Deputy Attorney General Sandra Dick formally administered the Oath of Office to all appointed Committee members.

2. APPROVAL OF PUBLIC SESSION MINUTES - September 22, 2014

Motion made by Mr. Byrnes, seconded by Mr. O'Neill, and unanimously carried to approve the Minutes of the 2nd Public Session Business Meeting held September 22, 2014 as presented.

3. Future Meeting Dates

Board meeting dates for calendar year 2015 were presented to the Board. All meetings have been scheduled for the fourth Monday of each month with one exception. A meeting was scheduled for May 18, 2015 (3rd Monday) due to the Memorial Day holiday of May 25.

4. Board Regulations Discussion

Mr. Manning advised the Board that the draft of Board Regulations attached to the agenda had been revised and that all changes made are reflected in bold face type. Mr. Manning then reviewed all changes incorporated into the regulatory draft since the Board last met.

Roundtable discussion was held regarding: equal license reciprocity by other states; certification of experience by self-employed applicants; varying depth and types of industry experience; purpose of required surety bond; ability/inability of individuals with Inactive status license to work in the field, etc.

SUBCHAPTER 1. PURPOSE AND SCOPE, DEFINITIONS

- 13:44M-1.2 Definitions

Following discussion of definition of "Elevator, escalator, or moving walkway", Board recommendation was made to include specific mention of stairway chairlifts that are "not within a dwelling unit).

SUBCHAPTER 2. LICENSURE

- 13:44M-2.3 Licensure without examination

- 13:44M-2.3(a)(2)

Board recommendation was made to include within required experience specific mention of "installing, constructing, altering, servicing, repairing, testing, or maintaining" elevators, escalators, and moving walkways, so as to preclude acceptance of experience which is solely of an administrative nature, etc.

- 13:44M-2.3(b)(2)(I)

Board recommendation was made to include specific clarification of "agent" as someone "who is authorized by the company to secure permits and perform or supervise the work associated with a permit".

SUBCHAPTER 4. CONTINUING EDUCATION

Roundtable discussion was held as to whether or not the Board wished to establish a rule requiring licensees to complete continuing education exceeding the statutory requirement of eight continuing education credits for all license holders.

Board recommendation was made not to increase from eight credits the amount of continuing education to be required of licensees during each biennial license cycle.

- 13:44M-4.1 Continuing education

- 13:44M-4.1(b)

Mr. Manning indicated that per the Board's recommendation he will incorporate specific mention of the eight continuing education credits hours during the second year of the preceding biennial into this section.

- 13:44M-4.1(c) & (d)

Board recommendation was made to delete these preliminary rule provisions. 13:44M-4.1(c) would have exempted licensees from having to complete required continuing education when applying for their first biennial renewal. 13:44M-4.1(d) would have permitted a licensee who had earned continuing education credits in excess of the minimum amount required to have “carried over” an unspecified number of credits into a succeeding biennial period.

- 13:44M-4.2 Continuing education programs

- 13:44M-4.2(a)(1)

Board recommendation was made to add as entities through which “Courses and programs shall be approved by, or offered by providers approved by” both the National Association of Elevator Contractors (NAEC) and National Association of Elevator Safety Authorities International (NAESAI).

- 13:44M-4.2(2)

Board recommendation was made to delete this rule provision as previously included and replace it with successful completion of a “High Hazardous Structure (HHS) course offered or approved by the New Jersey Department of Community Affairs”.

- 13:44M-4.2(3)

Mr. Manning will revise this section to allow for one credit hour for each hour taught by adding the specific maximum of “up to eight credit hours”.

- 13:44M-4.2(5)

Board recommendation was made to delete this rule provision which would have permitted continuing education credit for “Presenting a new seminar or lecture to professional peers”, etc.

- 13:44M-4.3 Continuing education audits; records of continuing education

- 13:44M-4.3(b)(4)

Board recommendation was made to delete this rule provision to provide consistency with the recommendation to delete 13:44M-4.2(5).

SUBCHAPTER 5. PRACTICE REQUIREMENTS

Roundtable discussion was held regarding the role consultants play in the industry with Board consensus reached that these individuals were not intended to fall within the parameters of those required to obtain licensure.

- 13:44M-5.2 Identification of licensed elevator mechanic; vehicles. Stationary; advertising

Board recommendation was made to delete this preliminary rule provision in its entirety.

- 13:44M-5.6 Unconscionable pricing

Board recommendation was made to delete this preliminary rule provision in its entirety.

- 13:44M-5.7 Ethics

Board recommendation was made to delete this preliminary rule provision in its entirety.

5. Adjournment

Having no further business, motion made by Mr. DeFilippis, seconded by Mr. O'Neill, and unanimously approved to adjourn the meeting at 2:30 p.m.

Respectfully Submitted,

David Freed
Acting Executive Director